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16 **UNITED STATES DISTRICT COURT**
17 **DISTRICT OF NEVADA**

18 OPPORTUNITY HOMES, LLC,

19 CASE NO.: 2:15-cv-000893-APG-GWF

20 Plaintiff,

21 vs.
22 **STIPULATION AND [PROPOSED]**
ORDER TO STAY DISCOVERY
PENDING RULING ON MOTIONS FOR
SUMMARY JUDGMENT

23 FEDERAL HOME LOAN MORTGAGE
24 CORPORATION,

25 Defendant.

26 **FIRST REQUEST**

27 Plaintiff/Counter-Defendant, Opportunity Homes, LLC (“Opportunity Homes”),
28 Defendant/Counterclaimant, Federal Home Mortgage Corporation (“Freddie Mac”), and
Intervenor, Federal Housing Finance Agency (“FHFA”), by and through their attorneys of
record, submit the following stipulation for the Court’s review and approval.

1 **WHEREAS**, Opportunity Homes filed its motion for summary judgment in the Eighth
2 Judicial District Court of Clark County, Nevada on April 29, 2015.

3 **WHEREAS**, Freddie Mac removed this action to this Court on May 12, 2015. (Dkt. 1.)

4 **WHEREAS**, Freddie Mac and FHFA filed their joint motion for summary judgment on
5 July 23, 2015. (Dkt. 19.)

6 **WHEREAS**, until the Court decides the parties' cross-motions for summary judgment,
7 the parties agree to stay discovery, including the conference, discovery plan and report required
8 by Rule 26(f) of the Federal Rules of Civil Procedure ("FRCP") and Rule 26-1(d) of the Local
9 Rules of Practice for the United States District Court for the District of Nevada ("LR"), and the
10 initial disclosures required by FRCP 26(a).

11 **WHEREAS**, the parties agree that good cause exists to stay discovery in this action
12 because the cross-motions for summary judgment raise a dispositive legal issue, the resolution of
13 which will clarify what, if any, discovery is warranted.

14 **NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED** by and among
15 the parties, through their undersigned counsel, pursuant to FRCP 26 and LR 6-2, 7-1, and 26-4,
16 that all discovery is stayed pending rulings on the parties' cross-motions for summary judgment.

17 **IT IS FURTHER STIPULATED AND AGREED** that, in the event the Court denies
18 any of the cross-motions, the parties remaining in the above-captioned action after shall conduct
19 the conference required by FRCP 26(f) (the "Rule 26(f) Conference"), and will submit the
20 discovery plan and scheduling order required by FRCP 26(f) and LR 26-1(d) by no later than
21 fourteen (14) days after the Rule 26(f) Conference.

22 **IT IS FURTHER STIPULATED AND AGREED** that this Stipulation is entered into
23 in good faith and not for the purposes of delay, and is not intended to waive any of the
24 substantive or procedural right of the parties. The parties have not previously requested any

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extensions of the discovery deadlines.

DATED this 16th day of November, 2015.

AKERMAN LLP

FENNEMORE CRAIG, P.C.

By: /s/ Natalie L. Winslow

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Using Financing Agency

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*Attorneys for Proposed Intervenor Federal
Housing Financing Agency*

ORDER

IT IS SO ORDERED.

George Foley, Jr.
UNITED STATES MAGISTRATE JUDGE

DATED: November 17, 2015